



PATENT  
Atty. Docket No. 061612-0015-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Application of:  
Lars Reinhardt Haaheim

Confirmation No.: 8212

Serial No.: 10/009,685

Group Art: 1641

Filed April 23, 2002

Examiner: G. GABEL

For: ASSAY FOR DETERMINING  
THE PRESENCE OR AMOUNT  
OF NEWLY SYNTHESIZED  
ANTIBODIES

**RESPONSE TO RESTRICTION REQUIREMENT**

U.S. Patent and Trademark Office  
Customer Window  
Randolph Building  
Alexandria, VA 22314

Sir:

This is in response to the Office Action, dated June 22, 2005, in which the application was examined for restriction purposes only. Applicants respectfully request entry of the following remarks and provisional election. Prior to examination on the merits, please amend the application as follows:

**Amendments to the Claims begin on page 2 of this paper.**

**Remarks begin on page 9 of this paper.**

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02 FC:1201 200.00 DA

newly synthesized antibody in a body fluid sample or a sample derived from lymph nodes or nodules in response to an immunogen by lysis of the lymphocytes."

Applicants respectfully submit that the method recited by claims 43-45 relates to the same inventive concept as Group III, as each of these claims utilizes the method, which is defined in the claims of Group III (*i.e.*, claims 21-42). This is evident from the reference in these claims to the methods recited in claims 21 and 22. Moreover, the method of diagnosis or monitoring of an infection requires that the claimed method (*i.e.*, as recited in claims 21 and 22) is carried out on an appropriate sample from a patient and the results obtained are compared to those obtained using the method on a reference and/or control sample.

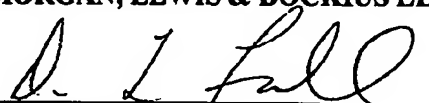
For the above-identified reasons, Applicants respectfully request that the Examiner reconsider the restriction with regard to claims 43-45 and include claims 43-45 with the Group including claims 21-42. If the Examiner would like to have a telephone conference to discuss any points herein, Applicants would be happy to discuss this matter with the Examiner.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any necessary fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17, which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

Date: July 21, 2005

By:

  
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